

MINUTES  
ZONING COMMISSION  
AUGUST 7, 2013 – 7:00 P.M.  
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Marquardt, Sutherland, French, Hudecek, Sayer  
Alternate members present: None  
Absent: None  
Staff present: Glemboski, Carey, Galetta

Chairperson Sutherland called the meeting to order at 7:01 p.m.

II. APPROVAL OF THE MINUTES OF meeting of July 3, 2013.

MOTION: To approve the minutes of July 3, 2013, as amended.

Motion made by Hudecek, seconded by French, 4 in favor, 1 abstention (Sayer).  
Motion passed.

III. CONSIDERATION OF PUBLIC HEARING

1. REGA #13-01, Proposed Zoning Regulation Text Amendments to Section 1.1 (Purpose & Authority), Section 8.3-1 through 8.3-12 (Special Permit Requirements) and Section 8.4-5 (Site Plan Objectives) – Continued

Hudecek disclosed he listened to the recording of the June 5, 2013 meeting and Sayer disclosed she listened to the recording of the July 3, 2013 meeting.

Commission and staff briefly discussed the draft motion. The Commission was satisfied with the language recommended by staff and Attorney Carey.

MOTION: The Town of Groton Zoning Commission hereby modifies and adopts zoning regulation text amendment application #REGA13-01, amendments to Section 1.1 (Purpose & Authority), Section 8.3-1 through 8.3-12 (Special Permit Requirements) and Section 8.4-5 (Site Plan Objectives), pursuant to the following findings and reasons for approval:

1. These amendments are consistent with and implement the Town's 2002 Plan of Conservation and Development and the Municipal Coastal Program, with particular regard to the protection of the environment and the enhancement of community character and structure.
2. These amendments are based upon the 2002 Plan of Conservation and Developments recommendations for updating the Town's Special Permit Objectives to provide adequate guidance to applicants, property owners and the Zoning Commission in the special permit process.
3. These amendments also expand application submittal requirements, clarify procedures, fees, referrals and noticing requirements, and update and incorporate changes relevant to the Connecticut General Statutes.
4. These amendments incorporate C.G.S. § 8-2(b) into the Town's Zoning Regulations with recommended language provided by the Town Attorney after a

comprehensive review of the intent of C.G.S. § 8-2(b) and review of the legislative history and administrative agency documents, including those of the Connecticut Department of Energy and Environmental Protection.

5. The modifications proposed with this approval address issues raised during the public hearing process and includes some limited text clarifications and formatting. The Commission notes that this action includes adoption of the “Modified” language for Sections 8.3-2G, 8.3-8H and 8.4-5J.
6. These amendments are made in accordance with a comprehensive plan and provide for reasonable consideration of the environment in accordance with the provisions of CGS 8-2. The State of Connecticut Department of Energy and Environmental Protection has reviewed the proposed amendments and has deemed them consistent with the relevant goals and policies of the State’s Coastal Zone Management Act.

The effective date of this amendment shall be October 1, 2013.

Motion made by French, seconded by Hudecek, so voted unanimously

IV. PUBLIC COMMUNICATIONS – None

V. OLD BUSINESS

1. Buildable Land

Staff has no update at this time.

2. POCD Update Report

The next meeting of the Steering Committee is on August 15, 2013. Staff reviewed the upcoming agenda noting three major things being dealt with. A Citizens’ Survey should be available on the Town of Groton Website and is also being distributed at other places in Town such as the Groton Public Library. Steering Committee meetings are held in CR 2 at 6 p.m.

3. Land Use Regulation Update Project

Chairperson Sutherland made a proposal that she thinks may be a way to move this item on the agenda. She requested a copy of the Kendig Keast contract and the deliverables be given to each Commissioner so the Commission can see what was actually received for the money that was paid to the consultant. Staff will bring this request to Mike Murphy, Director of OPDS.

VI. NEW BUSINESS

1. Report of Commission

Commissioner French noted she had attended the public hearing for the proposed Flanders Road water and sewer project. At the hearing Dave Cody, a property owner, said that it was originally going to go overland through a development, but this was prevented because they tied up the developer so much

he did not do the job. This was reiterated by the Town Manager at a subsequent Town Council meeting.

Commissioner French questioned whether an agreement was reached between the Town and the developer, regarding installation of water and sewer, prior to the Mystic Woods Development coming before the Zoning Commission without informing the Commission about any such proposed agreement. The development came before the Zoning Commission in approximately 2008.

Chairperson Sutherland noted she had recused herself and did not take part in the development approval.

Staff noted the water and sewer design was part of the site plan application; however, she was not involved in the Special Permit process and could not say whether it was part of the development at that point. Staff will do some research and provide information for the next meeting.

2. New Applications

- a. Special Permit #336, Gregg Fedus, Fedus Engineering, 15 Water Street (The Emporium) (CAM).

A public hearing date was set for October 2, 2013.

VII. REPORT OF CHAIRPERSON – None

VIII. REPORT OF STAFF

Staff noted that the September meeting will have a public hearing for a special permit regarding a proposed restaurant at 27-29 West Main Street.

Staff updated the Commission on OPDS staffing noting that the department has lost two positions due to budget cuts, including the position of Manager of Planning Services, held by Matt Davis and a clerical OA II position, held by Katie Trask.

Staff stated the Inspection Services highlights report for June was also included with the agenda packet for the Commission to review.

IX. ADJOURNMENT

Motion to adjourn at 7:46 p.m. made by Sayer, seconded by Hudecek, so voted unanimously.

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Mariellen French, Secretary  
Zoning Commission

Prepared by Lynda Galetta  
Office Assistant II